



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

ALB:MWG/PP
F. #2018R02382

*271 Cadman Plaza East
Brooklyn, New York 11201*

November 2, 2020

By ECF and E-Mail

The Honorable Rachel P. Kovner
United States District Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: United States v. Alonzo Shipp
Criminal Docket No. 19-029 (S-1) (RPK)

Dear Judge Kovner:

The government respectfully submits this letter in response to the defendant's proposed edits to the Court's case background during voir dire.

First, it is unnecessary to describe the particular make and model of the firearm and ammunition during the Court's initial description of the case before jurors have even been selected. Moreover, the inclusion of these additional details at this stage may distract the jurors from Court's initial description of the case as a whole.

Second, the defendant proposes the following, additional language:

Let me stop here and caution you that you may hear argument by the government that Mr. Shipp committed a shooting. Mr. Shipp is not charged with a shooting. Instead, he is charged with possessing the specific gun and shell casing charged in the indictment. There are no charges here as to possessing other guns or other ammunition not named in the indictment.

If the Court decides to provide this type of additional instruction in its opening statement of the case, then the government proposes the following, alternative formulation:

Mr. Shipp has pleaded not guilty to each of the two charges and is presumed innocent. The facts of this case involve a non-fatal shooting of an individual in Queens in July 2018. Mr. Shipp is

not charged with a shooting. Instead, he is charged with possessing the specific gun and shell casing charged in the indictment that the government will argue were used in this shooting. There are no charges here as to possessing other guns or other ammunition not named in the indictment.

We thank the Court for its consideration.

Respectfully submitted,

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cc: Clerk of the Court (RPK) (by ECF)
Counsel of Record (by E-mail)